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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**

☒ Declaration Submitted with Initial Filing      OR      ☐ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number 1739/29

First Named Inventor Daniel Hunter Stone

**COMPLETE IF KNOWN**

Application Number /

Filing Date Herewith

Group Art Unit

Examiner Name

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

RAILWAY WHEELS RESISTANT TO MARTENSITE TRANSFORMATION

the specification of which (Title of the Invention)

☒ is attached hereto  
OR

☐ was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

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## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

☐ Customer Number

OR

☒ Registered practitioner(s) name/registration number listed below

Place Customer  
Number Bar Code  
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Name	Registration Number	Name	Registration Number
Robert C. Dorr	27,782	Thomas S. Birney	30,025
W. Scott Carson	27,292	Leslie P. Kramer	38,521
Jack C. Sloan	26,806	Mark D. Trenner	43,961

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☐ Customer Number or Bar Code Label

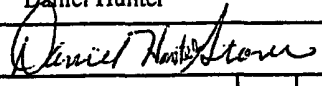
OR ☒ Correspondence address below

Name	Jack C. Sloan, Esq.				
Address	Dorr, Carson, Sloan & Birney, P.C.				
Address	3010 East 6th Avenue				
City	Denver	State	CO	ZIP	80206
Country	U.S.A.	Telephone	(303) 333-3010	Fax	(303) 333-1470

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))		Family Name or Surname					
Daniel Hunter		Stone					
Inventor's Signature				Date	7/20/00		
Residence: City	Pueblo West	State	CO	Country	U.S.A.	Citizenship	USA
Post Office Address	1174 South Sweetwater Avenue						
Post Office Address							
City	Pueblo West	State	CO	ZIP	81007	Country	U.S.A.


☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto

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<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> <b>Supplemental Sheet</b> Page <u>1</u> of <u>1</u>
--------------------	---

<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Kevin James				Sawley			
Inventor's Signature				Date			
Residence: City	Pueblo West	State	CO	Country	U.S.A.	Citizenship	GB
Post Office Address	150 West Mangrum Court						
Post Office Address							
City	Pueblo West	State	CO	ZIP	81007	Country	U.S.A.
<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature				Date			
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	
<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])				Family Name or Surname			
Inventor's Signature				Date			
Residence: City		State		Country		Citizenship	
Post Office Address							
Post Office Address							
City		State		ZIP		Country	

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SEPTEMBER 21, 2000

PTAS

DORR, CARSON ET AL  
JACK C. SLOAN, ESQ.  
3010 EAST 6TH AVENUE  
DENVER, CO 80206



\*101423767A\*

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REEL/FRAME: 010964/0968  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

STONE, DANIEL HUNTER

DOC DATE: 07/13/2000

ASSIGNOR:

SAWLEY, KEVIN JAMES

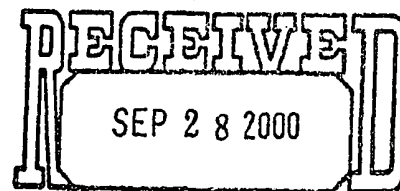
DOC DATE: 07/12/2000

ASSIGNEE:

TRANSPORTATION TECHNOLOGY CENTER,  
INC.  
55500 DOT ROAD  
PUEBLO, COLORADO 81001

SERIAL NUMBER: 09621504  
PATENT NUMBER:

FILING DATE: 07/21/2000  
ISSUE DATE:



DCS & B, P.C.

010964/0968 PAGE 2

STEVEN POST, EXAMINER  
ASSIGNMENT DIVISION  
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08306 U.S. PTO  
10/634209  
08/05/03

### Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Name (line 1)  Stone, Daniel Hunter

Execution Date  
Month Day Year  
 07132000

### Second Party

Name (line 1)  Sawley, Kevin James

Execution Date  
Month Day Year  
 07122000

Name (line 2)

### Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1)  Transportation Technology Center, Inc.

Name (line 2)  a Delaware corporation

Address (line 1)  55500 DOT Road

Address (line 2)

Address (line 3)  Pueblo  CO/USA  81001

City State/Country Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

### Domestic Representative Name and Address

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Name

Address (line 1)

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08/01/2000 08/01/2000 09/621504  
04 FC-581 40.00 09

**Correspondent Name and Address**

Area Code and Telephone Number

303-333-3010

Name Jack C. Sloan, Esq.

Address (line 1) Dorr, Carson, Sloan & Birney, P.C.

Address (line 2) 3010 East 6th Avenue

Address (line 3) Denver, Colorado 80206

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

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Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)



If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year  
07 20 2000

**Patent Cooperation Treaty (PCT)**

Enter PCT application number  
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PCT  PCT  PCT

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Enter the total number of properties involved.

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Jack C. Sloan - 26,806

Name of Person Signing

*Jack C. Sloan*  
Signature

July 21, 2000

Date

## ASSIGNMENT

WHEREAS, We, Daniel Hunter Stone, whose residence address is 1174 South Sweetwater Avenue, Pueblo West, Colorado 81007 and Kevin James Sawley, whose residence address is 150 West Mangrum Court, Pueblo West, Colorado 81007 (the "Assignors") having invented a certain new and useful invention for "RAILWAY WHEELS RESISTANT TO MARTENSITE TRANSFORMATION" for which we are about to make application for Letters Patent of the United States, said application being identified as Docket No. 1739/29 in the law offices of Dorr, Carson, Sloan & Birney, P.C., 3010 East Sixth Avenue, Denver, Colorado 80206, and herewith executed concurrently on the respective dates listed herein below;

WHEREAS, Transportation Technology Center, Inc., a Delaware corporation, whose post office address is 55500 DOT Road, Pueblo, Colorado 81001 (the "Assignee"), is desirous of acquiring the entire right, title and interest in and to the aforesaid invention and application for Letters Patent in the United States and in any and all foreign countries.

NOW, THEREFORE, in consideration of the sum of Two Hundred Fifty Dollars (\$250.00) to each of us in hand paid by the said Assignee, and other good and valuable consideration, receipt whereof is hereby expressly acknowledged, we the aforesaid, Daniel Hunter Stone and Kevin James Sawley, hereby sell, transfer and set over to the said Assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the aforesaid invention and the aforesaid application, for the territory of the United States of America and for all foreign countries, and to all Letters Patents, divisions, continuations, continuations-in-part, substitutions, reissues, re-examinations and extensions to be obtained therefor; and we and each of us further agree to cooperate with the said Assignee hereunder in the obtaining and the sustaining of any or all such Letters Patent but at the expense of the said Assignee.

The Commissioner of Patents is hereby authorized and requested to issue the Letters Patent solely in accordance with this Assignment, to the said Assignee, its successors, legal representatives and assigns, as the Assignee of the entire right, title and interest therein.


Further, we and each of us agree that we will communicate to said Assignee, or its representatives any facts known to us respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all division, continuation, continuation-in-part, substitution, reissue, re-examinations and extension applications, execute all necessary assignment papers to cause any and all of said Letters Patent to be issued to said Assignee, make all rightful oaths and generally do everything necessary or desirable to aid said Assignee, its successors and assigns, to obtain and enforce proper protection for said invention in the United States and in any and all foreign countries.

This Assignment is executed by Daniel Hunter Stone and Kevin James Sawley as of the respective dates set forth below to be effective as of the last respective dates set forth below.

Date: 7/13/00

By:   
Daniel Hunter Stone

Date: 7/12/00

By:   
Kevin James Sawley